IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION Nos.18184 & 19311 of 2004

WRIT PETITION Nos.18184 of 2004

Between:

1. Chelli Veera Naganna,

   S/o. Chandraiah,
   Surampalem Village,

   Gandepalli Mandal, E.G. District.

2 Kunche Gangadharam,

   S/o. Appa Rao,
   Surampalem Village,

   Gandepalli Mandal, E.G. District.

..... PETITIONERS

AND

1. The District Cooperative Officer,

   E.G. District at Kakinada

2 The Divisional Cooperative Officer,

   Peddapuram, E.G. District.

3 L. Kalikadevi,

Divisional Cooperative Officer,

Peddapuram, E.G. District.

4 The Nayakampalli,

PACS Nayakampalli,

Gandepalli Mandal,

E.G. District,

rep by its Chairman/PIC

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents 2 and 3 in initiating proceedings for posting on deputation/transfer a decaderised Secretary from other society to the petitioners society i.e. Nayakampalli PACS in spite of there being sufficient staff members in the 4th respondent society as highly illegal, arbitrary and violative of Art. 14 of the Constitution of India and also contrary to the provisions of A.P. Cooperative Societies Act.

Counsel for the Petitioners: MR.G.V.SHIVAJI

Counsel for the Respondents 1 to 3: GP FOR COOPERATION

Counsel for the Respondent No.4: Sri N.Janardhan Reddy

WRIT PETITION No.19311 of 2004

Between:

P.Tammayya, S/o.Srirama Murthy,
Nayakampalli Gandepalli Mandal, E.G.Dist.

..... PETITIONER

AND

1 The Dist. Coop. officer, E.G.Dist. at Kakinada.
2 The Divisional Coop. officer, Peddapuram, E.G.Dist.
3 The Nayakampalli PACS,

Nayakampalli Gandepalli Mandal,

E.G.Dist. rep.by its Chairman/PIC.

4 K.Satyanarayana, Secretary,

Z.Rangampeta PACS Z.Rangampeta, E.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the impugned action of the 2nd respondent in issuing impugned proceedings Rc.No.687/2004-D, dated 6-10-2004 as highly illegal, arbitrary and violative of Art.14 of the Constitution of India and contrary to the provisions of A.P.Cooperative societies Act and rules made thereunder and consequently set aside the same.

Counsel for the Petitioner: MR.V.S.K.RAMA RAO

Counsel for the Respondents 1,2 and 4: GP FOR COOPERATION

Counsel for the Respondent No.3: Sri N.Janardhan Reddy

The Court made the following :

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION Nos.18184 & 19311 of 2004

COMMON ORDER:

The orders under challenge in both these writ petitions were nullified by the District Cooperative Officer, East Godavari District, Kakinada, through his proceedings Rs.No.5940/2004A, dated 13-10-2004.

2. Therefore, I do not think any further orders are necessary to be passed in

these writ petitions. Accordingly, both the writ petitions are disposed of. In the circumstances, there shall be no order as to costs.

_____ December 14, 2004

KVR

To

1. The District Cooperative Officer,
   E.G. District at Kakinada

2 The Divisional Cooperative Officer,
   Peddapuram, E.G. District.

3 Two C.Cs to the GP for Cooperation,
   High Court of AP Buildings, AP High Ciourt,
   Hyderabad (O.U.T.)

4 Two C.D.copies.